

IN THE DRAWINGS:

Please include new FIG. 6, and indicated in the NEW SHEET attached hereto.

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

In the Office Action dated November 23, 2005, the Examiner rejected claims 1, 2, and 10-12, under 35 U.S.C. §102(b), as allegedly being anticipated by Emoto '239 (U.S. Patent Pub. No. 2002/0089239); rejected claims 3, 13, under 35 U.S.C. §103(a), as allegedly being unpatentable over Emoto '239; rejected claims 4 and 14, under 35 U.S.C. §103(a), as allegedly being unpatentable over Emoto '239 in view of Suzuki '941 (U.S. Patent Pub. No. 2003/0205941); and rejected claims 5-6 and 15-16, under 35 U.S.C. §103(a), as allegedly being unpatentable over Emoto '239 in view of Suzuki '941 and Nakamura '548 (U.S. Patent Pub. No. 2002/0056548).

The Examiner objected to the Drawings for lacking to show the features as recited by claim 8 and also objected to claim 2 for allegedly lacking proper antecedent basis.

By this Amendment, Applicants have amended claims 1, 2 and 10-12 to provide a clearer presentation of the claimed subject matter. Applicants submit that no new matter has been introduced. Applicants submit that by virtue of the changes to claim 2 (as well as claim 12), the lack of antecedent basis has been corrected and the withdrawal of the objection is respectfully requested. Applicants have also cancelled claims 3 and 13 without prejudice or disclaimer. Applicants have also introduced new FIG. 6 and have amended the Specification to reflect the subject matter recited by originally-filed claim 8 and fully supported by the embodiments described in the Specification. (*See, e.g.*, Specification: par. [0055]). As such, Applicants request the withdrawal of the objection to the Drawings.

Applicants respectfully traverse the prior art rejections, under 35 U.S.C. §102(b) and §103(a) for the following reasons.

I. Prior Art Rejections

As noted above, independent claim 1, as amended, now positively recites the use of a pair of ferromagnetic members, each having no coil wound thereon and spaced from the outermost coils on each side of the coil unit. These features are amply supported by the embodiments disclosed in the Specification. For example, as noted in the Specification, the coil unit 13 comprises six coils 17a-f wound around respective ferromagnetic cores (teeth) 18a-f as well as two outer teeth 19 *for reducing force ripples during motion and cogging*. The outer teeth 19 may be spaced further from the other cores than the spacing of the other cores and may also be larger, depending on the number of coils. (See, e.g., Specification: par. [0051]; FIG. 2).

Unlike the present invention, none of the asserted references teach or suggest each and every element of claim 1, including the features identified above. In particular, as acknowledged by the Examiner, the Emoto '239 reference fails to teach or suggest a ferromagnetic members, each having no coil wound thereon, as required by claim 1. The Examiner asserted, however, that it would have been obvious to include such a feature because the elimination of a feature and its function, in this case, the coil, only involves routine skill in the art, as held by *In re Kuhle*, 188 USPQ 7 (CCPA 1975). Applicants strenuously disagree.

In the present invention, the inclusion of ferromagnetic members without a coil has nothing to do with the elimination of a feature within the meaning of *Kuhle*. The present invention does not merely “eliminate” the coil, such as reducing the number of coils from 3 to 2. Rather, as is clear from even a casual reading of the disclosure, the invention includes two additional elements (e.g., two ferromagnetic members) that do not contain coils for the articulated purpose of *reducing force ripples and cogging*. (See, e.g., Specification: par. [0051]; FIG. 2). The application of *Kuhle* in this case is extremely misguided and the basis for this rejection is clearly without merit and cannot stand.

With this said, Applicants submit that none of the remaining references, neither Suzuki '941 nor Nakamura '548, are capable of curing the deficiencies identified above relative to Emoto '239. That is, in addition to their own deficiencies, neither Suzuki '941 nor Nakamura '548 remotely teach or suggest the use of a pair of ferromagnetic members, each having no coil wound thereon and spaced from the outermost coils on each side of the coil unit, as required by claim 1.

For at least these reasons, Applicants submit that the none of the asserted references teach or suggest the claimed combination of elements recited by amended claim 1. Accordingly, Applicants submit that claim 1 is patentable and request the immediate withdrawal of the prior art rejections of claim 1. In addition, because claims 2 and 4-9 depend from claim 1, claims 2 and 4-9 are also patentable by virtue of dependency as well as for their additional recitations.

Furthermore, because independent claims 10 and 11 recite similar patentable features as noted above with respect to claim 1, claims 10 and 11 are also patentable for at least the reasons submitted relative to claim 1. And, because claims 12 and 14-19 depend from claim 11, claims 12 and 14-19 are also patentable by virtue of dependency as well as for their additional recitations.

II. Conclusion.

All matters having been addressed and in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicants' Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the Undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number **033975**, under Order No. 081468-0308380.

The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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